

CLIENT AGREEMENT FORM FOR POLITICAL BROADCASTS

[WBRC]

[BIRMINGHAM, ALABAMA]

I, Twinkle Andress Cavanaugh, on behalf of myself, a legally qualified candidate of the Republican political party for the office of PSC President in the 2012 election to be held on Nov. 6, do hereby request Station time as indicated on the attached service order(s). The broadcast time will be used by Friends of Twinkle Andress Cavanaugh ("Candidate") in connection with his or her election campaign.

A WRITTEN STATEMENT AUTHORIZING ME TO PURCHASE TIME ON BEHALF OF THE CANDIDATE AND CONFIRMING THE CANDIDATE'S APPROVAL OF THE ADVERTISEMENTS FOR WHICH TIME IS BEING PURCHASED, IS ATTACHED.

The advance payment for the above-described broadcast time has been furnished by Friends of Twinkle Andress Cavanaugh. You are authorized to announce the program as paid for by such person or entity. The entity furnishing the payment, if other than an individual person, is ☐ a corporation; ☐ an association; or ☒ other unincorporated group. The names and offices of the chief executive officers of the entity are:

Twinkle Andress Cavanaugh, Chairman

If this request is for a candidate authorized use as defined by the Federal Communications Commission, the name of the treasurer of the candidate's authorized committee is Twinkle Andress Cavanaugh

I agree to indemnify and hold harmless the Station for any damages or liability, including reasonable attorneys' fees, that may ensue from the performance of the broadcasts. For the broadcasts, I also agree to prepare a script or transcription, which will be delivered to the Station at least immediately before the time of the scheduled broadcasts.<sup>1</sup>

Please indicate the time requested on the station below:

LENGTH OF SPOT:

:30

TIME/DAY PART OR ROTATION:

DATES:

present - November 6

CLASS OF TIME:

<sup>1</sup> The indemnification is not applicable and the script or transcription is not required if Candidate personally uses the time.

I hereby agree, on behalf of the Candidate, that the FCC shall be the sole and exclusive forum for the resolution of any dispute concerning charges for candidate uses of the Station and that an FCC determination of any such dispute, and the relief (if any) ordered by the FCC in connection with such dispute, shall be the sole and exclusive remedy available to the Candidate in connection with such dispute, in lieu of any other remedy otherwise available by judicial or administrative action or through arbitration. I further agree that any complaint relating to such charges shall be filed with the FCC within ninety (90) days after the date of the election in connection with which the advertisement or program aired and that the FCC's resolution of any complaint filed by or on behalf of the Candidate shall be final and binding on both the Candidate and the Station, subject only to review by such courts as are specified in Section 402 of the Act. I agree on behalf of the Candidate to accept any relief awarded by the FCC in full and complete satisfaction of any disputed amount, and specifically waive any and all entitlement to any other compensatory or punitive damages.

THIS AGREEMENT COVERS ALL USES OF THE STATION BY THE CANDIDATE IN CONNECTION WITH THE ELECTION AND MAY BE AMENDED OR REPLACED ONLY BY A LATER AGREEMENT SIGNED BY BOTH PARTIES

This document constitutes the entire agreement between the Candidate and the Station with respect to advertisements to be broadcast on the Station by the Candidate in furtherance of his or her campaign in the above election and may not be amended or replaced in any respect whatsoever, except by a later agreement executed by or on behalf of both parties hereto. In the absence of express written agreement to the contrary, it is understood that any other forms or documents promulgated or issued by the parties hereto or their agents or representatives that purport to govern or affect the subject matter of this agreement are of no force or effect and are not binding in any respect on either party hereto. If any provision of this agreement is found to be illegal or unenforceable by a final, non-appealable order of the FCC or any other body of competent jurisdiction, such provision shall be of no force and effect, but the remaining provisions of this agreement shall not be affected by such illegality or unenforceability and shall remain in full force and effect.

Date: 10/10/12 Twinkle Andrews Cawright  
(Candidate, Supporter or Agent)

Accepted for [WBRC] By: \_\_\_\_\_  
Title: \_\_\_\_\_

THIS AGREEMENT WILL BE AVAILABLE FOR PUBLIC INSPECTION FOR A PERIOD OF TWO YEARS.

Amended as indicated in the attached Amendment.

Date: \_\_\_\_\_  
(Candidate, Supporter or Agent)

Accepted For [WBRC] By: \_\_\_\_\_  
Title: \_\_\_\_\_

NUMBER OF TIMES PER DAY OR WEEK: \_\_\_\_\_

For programming that, in whole or in part, "communicates a message relating to any political matter of national importance, including (i) a legally qualified candidate; (ii) any election to federal office; or (iii) a national legislative issue of public importance," please indicate the name of the candidate, the office the candidate is seeking, the election to which the spot refers, and/or the issue to which the spot refers, as applicable:

Twinkle Address Campaign, Alabama General Election on  
Tuesday, Nov. 6, 2012 for President of the AL Public  
Service Commission

**RATES FOR CANDIDATE USES ARE TO BE DETERMINED BY REFERENCE TO THE CLASS OF TIME PURCHASED**

I understand that the Station sells various classes of advertising time, each of which is available for purchase by legally qualified candidates for advertisements (such advertisements are hereinafter referred to as "uses" or "candidate uses"). I further acknowledge that all such classes (e.g., fixed position, preemptible, rotators, run of schedule, direct response, etc.) and their characteristics (e.g., rates, levels of preemptibility, clearance rates, and make-good privileges) have been disclosed and described to me. I acknowledge that I have had the opportunity to ask questions of, and have received the information that I have requested from, Station personnel about the classes of time sold by the Station and the characteristics of those classes.

I further understand that the charges for each class of time and time period are separate and unique to that class and period and that, pursuant to the provisions of the Communications Act of 1934, as amended (the "Act"), and the rules and policies of the Federal Communications Commission ("FCC"), the charges made for candidate uses will be governed by the class of time and time period purchased by the Candidate and not determined with reference to the rates charged for other classes of advertising time or other time periods. (For example, an announcement purchased on a run of schedule basis that runs in a specific time period will not affect the lowest unit rate for a fixed position announcement purchased specifically for that same time period.) I understand and agree that, pursuant to the provisions of the Act and the rules and policies of the FCC, the Candidate will be charged the rates applicable to the specific class of time and time period purchased in connection with any purchase of advertising time from the Station. Notwithstanding the above, I understand and agree that if I am (or if I represent) a candidate for a federal office, I will only receive the lowest unit charge for the specific class of time and time period if I (1) provide certification that I will not make any reference to another candidate for the same office unless the spot complies with the enhanced disclosure requirements as set forth in 47 U.S.C. § 315(b)(2)(C), and (2) comply with the certification.

If I am an agent acting on behalf of the Candidate, I hereby represent that all information provided to me by the Station in connection with time purchases has been provided by me to the Candidate or, if it has not, that I have been specifically authorized by the Candidate to purchase advertising time on the Station on his or her behalf without the need to disclose such information to the Candidate. I further represent that the Candidate controls, has approved, or sponsors all advertisements covered by this contract.

**COMPLAINTS CONCERNING CHARGES FOR CANDIDATE BROADCASTS MUST BE FILED EXCLUSIVELY WITH THE FCC.**



# Friends of Twinkle Cavanaugh

Book: May 2012/November 2011 LivePlus

Schedule Date: 08/26/2012 - 11/05/2012  
Spot Length: :30  
Proposal ID: 5202  
Author: Dave Duncan

Acct. Exec: Dave Duncan  
Phone #: 205-583-4301  
Email: dave.duncan@wbrc.com  
Web Site: www.myfoxal.com

Flight Dates: 10/01/2012-11/05/2012

Program Time	SpotLength(s)	OC 8	OC 15	OC 22	OC 29	NO 5	DMA P25-54 RTG	DMA P35+ RTG	Wk s	Rate Spots
<b>WBRC</b>										
GOOD DAY AL 5A	:30	4	4	4	4	1	2.3	3.1	5	\$170.00
CPP/CPM							\$73.91	\$54.84		17
Mo-Fr 5:00a-5:30a							Run Dates: 01/01/2003-12/31/2036			
GOOD DAY AL 6A	:30	2	2	2	2	1	4.3	5.3	5	\$340.00
CPP/CPM							\$79.07	\$64.15		9
Mo-Fr 6:00a-7:00a							Run Dates: 01/01/2003-12/31/2036			
GOOD DAY AL	:30	8	8	8	8	2	3.4	5.3	5	\$230.00
CPP/CPM							\$67.65	\$43.40		34
Mo-Fr 7:00a-9:00a							Run Dates: 01/01/2003-12/31/2036			
RACHAEL RAY	:30	5	5	5	5	1	1.5	2.2	5	\$80.00
CPP/CPM							\$53.33	\$36.36		21
Mo-Fr 10:00a-11:00a							Run Dates: 01/01/2003-12/31/2036			
FOX 6 NOON NEWS	:30	4	4	4	4	1	1.2	4.3	5	\$150.00
CPP/CPM							\$125.00	\$34.88		17
Mo-Fr 12:00p-1:00p							Run Dates: 01/01/2003-12/31/2036			
AMERICA NOW	:30	5	5	5	5	1	1.1	3.0	5	\$80.00
CPP/CPM							\$72.73	\$26.67		21
Mo-Fr 1:00p-1:30p							Run Dates: 10/03/2011-12/31/2036			
JUDGE JUDY	:30	5	5	5	5	1	1.8	4.9	5	\$160.00
CPP/CPM							\$88.89	\$32.65		21
Mo-Fr 4:00p-5:00p							Run Dates: 01/01/2003-12/31/2036			
FOX 6 NEWS AT 5	:30	2	2	2	2	--	3.9	8.5	4	\$475.00
CPP/CPM							\$121.79	\$55.88		8
Mo-Fr 5:00p-5:30p							Run Dates: 01/01/2003-12/31/2036			
FOX 6 NEWS AT 9	:30	2	2	2	2	--	5.2	8.2	4	\$575.00
CPP/CPM							\$110.58	\$70.12		8
Mo-Fr 9:00p-9:30p							Run Dates: 01/01/2003-12/31/2036			
FOX 6 NEWS AT 10	:30	2	2	1	1	1	4.4	6.4	5	\$525.00
CPP/CPM							\$119.32	\$82.03		7
Mo-Fr 10:00p-10:30p							Run Dates: 01/01/2003-12/31/2036			
<b>WBRC Totals</b>		39	39	38	38	9				<b>\$35,115.00</b>
							<b>GRP/(000)</b>	409.8	744.2	<b>Spts: 163</b>
							<b>CPP/CPM:</b>	\$85.69	\$47.18	
							<b>Reach:</b>	86.7	96.4	
							<b>Frequency:</b>	4.7	7.7	

## General Summary ( DMA P25-54 D.RTG )

Name	Spot	Cost	Grps	Imp(000)	CPP	CPM	Reach	Freq	Eff Reach	Net Reach	Pop
WBRC	163	\$35,115.00	409.8	3005.8	\$85.69	\$11.68	86.7	4.7	60.4	637,266	735,390



WBRC-TV

## ORDER

Print Date 10/11/12 Page 1 of 3

Flight Dates 10/09/12-11/05/12

Order Sep 00:30:00

Contract / Revision 833277 /

Product

Estimate #

Friends Of Twinkle Cavanaugh

Alt Order #

Original Date / Revision

Agency Com 15%

Billing Type Cash

10/05/12 10/05/12

Billing Contact

Order Type General

Advertiser Cavanaugh, Twinkle/AL/R/P/

Billing Cycle EOM/EOC

PO Box 11112  
Montgomery, AL 36111

Billing Calendar BROADCAST

Demographic A25-54

Agency Friends of Twinkle Cavanaugh

Rev Codes Agency Political Pol-Candid

Buying Contact

Sales Office L-BIR

Product Codes PL10b

PO Box 11112  
Montgomery, AL 36111

Sales Region Local

Priority P 3

Agency Ref

Advertiser Ref

Primary Account Executive  
House WBRC

Account Executive	Order%	Start Date	End Date
House WBRC	100%		

Order Share % Market Value

Competing Station % of Order Amount

WABM	%	
WBIQ	%	
WBMA	%	
WBRCb	%	
WCFT	%	
WCIQ	%	
WDBB	%	
WIAT	%	
WJRD	%	
WJSU	%	
WPXH	%	
WTJP	%	
WTTQ	%	
WVTM	%	

## Order Totals

## Billing Plan

Month	# of Spots	Net Amount	Gross Amount	Rating	Start Date	End Date	# Spots	Net Amount	Gross Amount
October 2012	116	\$21,356.25	\$25,125.00	0.00	10/01/12	10/28/12	116	\$21,356.25	\$25,125.00
November 2012	47	\$8,491.50	\$9,990.00	0.00	10/29/12	11/05/12	47	\$8,491.50	\$9,990.00
Totals	163	\$29,847.75	\$35,115.00	0.00					

Ln	Ch	Start	End	Inventory Code	Break	Start/End Time	Days	Len	Spots	Rate	Pri	Rtg	Type	Totals Spots Amount	
N 1	WBRC	10/09/12	11/05/12	Good Day Alabama 5-530am GDA 5-530am	Comm	5-530am	MTWTF--	:30	4	\$170.00	P 3	0.00	NM	17	\$2,890.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>		<u>Spots/Week</u>				<u>Rate</u>		<u>Rating</u>			
		Week: 10/08/12	10/14/12	-TWTF--		4				\$170.00		0.00			
		Week: 10/15/12	10/21/12	MTWTF--		4				\$170.00		0.00			
		Week: 10/22/12	10/28/12	MTWTF--		4				\$170.00		0.00			
		Week: 10/29/12	11/04/12	MTWTF--		4				\$170.00		0.00			



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Contract / Revision 833277 Flight Dates 10/09/12-11/05/12

Hiatus Dates

Original Date / Revision 10/05/12/ 10/05/12

Order Sep 00:30:00

Advertiser Cavanaugh, Twinkle/AL/R/F Product Friends Of Twinkle Cavanaugh Estimate #

Ln	Ch	Start	End	Inventory Code	Break	Start/End Time	Days	Len	Spots	Rate	Pri	Rtg	Type	Totals	
														Spots	Amount
N 1	WBRC	10/09/12	11/05/12	Good Day Alabama 5-530am GDA 5-530am	Comm	5-530am	MTWTF--	:30	4	\$170.00	P 3	0.00	NM	17	\$2,890.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>					<u>Spots/Week</u>	<u>Rate</u>		<u>Rating</u>			
		Week: 11/05/12	11/11/12	M-----					1	\$170.00		0.00			
N 2	WBRC	10/09/12	11/05/12	Good Day Alabama 6-7am GDA 6-7am	Comm	6-7am	MTWTF--	:30	2	\$340.00	P 3	0.00	NM	9	\$3,060.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>					<u>Spots/Week</u>	<u>Rate</u>		<u>Rating</u>			
		Week: 10/08/12	10/14/12	-TWTF--					2	\$340.00		0.00			
		Week: 10/15/12	10/21/12	MTWTF--					2	\$340.00		0.00			
		Week: 10/22/12	10/28/12	MTWTF--					2	\$340.00		0.00			
		Week: 10/29/12	11/04/12	MTWTF--					2	\$340.00		0.00			
		Week: 11/05/12	11/11/12	M-----					1	\$340.00		0.00			
N 3	WBRC	10/09/12	11/05/12	Good Day Alabama 7-9am GDA 7-9am	Comm	7-9am	MTWTF--	:30	8	\$230.00	P 3	0.00	NM	34	\$7,820.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>					<u>Spots/Week</u>	<u>Rate</u>		<u>Rating</u>			
		Week: 10/08/12	10/14/12	-TWTF--					8	\$230.00		0.00			
		Week: 10/15/12	10/21/12	MTWTF--					8	\$230.00		0.00			
		Week: 10/22/12	10/28/12	MTWTF--					8	\$230.00		0.00			
		Week: 10/29/12	11/04/12	MTWTF--					8	\$230.00		0.00			
		Week: 11/05/12	11/11/12	M-----					2	\$230.00		0.00			
N 4	WBRC	10/09/12	11/05/12	Rachael Ray Rachael Ray	Comm	10-11am	MTWTF--	:30	5	\$80.00	P 3	0.00	NM	21	\$1,680.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>					<u>Spots/Week</u>	<u>Rate</u>		<u>Rating</u>			
		Week: 10/08/12	10/14/12	-TWTF--					5	\$80.00		0.00			
		Week: 10/15/12	10/21/12	MTWTF--					5	\$80.00		0.00			
		Week: 10/22/12	10/28/12	MTWTF--					5	\$80.00		0.00			
		Week: 10/29/12	11/04/12	MTWTF--					5	\$80.00		0.00			
		Week: 11/05/12	11/11/12	M-----					1	\$80.00		0.00			
N 5	WBRC	10/09/12	11/05/12	Noon News Noon News	Comm	12-1pm	MTWTF--	:30	4	\$150.00	P 3	0.00	NM	17	\$2,550.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>					<u>Spots/Week</u>	<u>Rate</u>		<u>Rating</u>			
		Week: 10/08/12	10/14/12	-TWTF--					4	\$150.00		0.00			
		Week: 10/15/12	10/21/12	MTWTF--					4	\$150.00		0.00			
		Week: 10/22/12	10/28/12	MTWTF--					4	\$150.00		0.00			
		Week: 10/29/12	11/04/12	MTWTF--					4	\$150.00		0.00			
		Week: 11/05/12	11/11/12	M-----					1	\$150.00		0.00			
N 6	WBRC	10/09/12	11/05/12	America Now America Now Weekdays	Comm	1-130pm	MTWTF--	:30	5	\$80.00	P 3	0.00	NM	21	\$1,680.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>					<u>Spots/Week</u>	<u>Rate</u>		<u>Rating</u>			
		Week: 10/08/12	10/14/12	-TWTF--					5	\$80.00		0.00			
		Week: 10/15/12	10/21/12	MTWTF--					5	\$80.00		0.00			
		Week: 10/22/12	10/28/12	MTWTF--					5	\$80.00		0.00			
		Week: 10/29/12	11/04/12	MTWTF--					5	\$80.00		0.00			
		Week: 11/05/12	11/11/12	M-----					1	\$80.00		0.00			
N 7	WBRC	10/09/12	11/05/12	4-5pm Judge Judy	Comm	4-5pm	MTWTF--	:30	5	\$160.00	P 3	0.00	NM	21	\$3,360.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>					<u>Spots/Week</u>	<u>Rate</u>		<u>Rating</u>			
		Week: 10/08/12	10/14/12	-TWTF--					5	\$160.00		0.00			
		Week: 10/15/12	10/21/12	MTWTF--					5	\$160.00		0.00			
		Week: 10/22/12	10/28/12	MTWTF--					5	\$160.00		0.00			
		Week: 10/29/12	11/04/12	MTWTF--					5	\$160.00		0.00			
		Week: 11/05/12	11/11/12	M-----					1	\$160.00		0.00			
N 8	WBRC	10/09/12	11/05/12	5pm News 5pm News	Comm	5-530pm	MTWTF--	:30	2	\$475.00	P 3	0.00	NM	8	\$3,800.00



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Contract / Revision **833277** Flight Dates **10/09/12-11/05/12**

Hiatus Dates

Original Date / Revision 10/05/12/ 10/05/12

Order Sep 00:30:00

Advertiser **Cavanaugh, Twinkle/AL/R/F** Product **Friends Of Twinkle Cavanaugh** Estimate #

													Totals	
Ln	Ch	Start	End	Inventory Code	Break	Start/End Time	Days	Len	Spots	Rate	Pri	Rtg Type	Spots	Amount
N 8	WBRC	10/09/12	11/05/12	5pm News 5pm News	Comm	5-530pm	MTWTF--	:30	2	\$475.00	P 3	0.00 NM	8	\$3,800.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>					<u>Spots/Week</u>	<u>Rate</u>		<u>Rating</u>		
	Week:	10/08/12	10/14/12	-TWTF--					2	\$475.00		0.00		
	Week:	10/15/12	10/21/12	MTWTF--					2	\$475.00		0.00		
	Week:	10/22/12	10/28/12	MTWTF--					2	\$475.00		0.00		
	Week:	10/29/12	11/04/12	MTWTF--					2	\$475.00		0.00		
	Week:	11/05/12	11/11/12	-----					0	\$0.00		0.00		
N 9	WBRC	10/09/12	11/05/12	MF 9pm News M-F 9pm News	Comm	9-930pm	MTWTF--	:30	2	\$575.00	P 3	0.00 NM	8	\$4,600.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>					<u>Spots/Week</u>	<u>Rate</u>		<u>Rating</u>		
	Week:	10/08/12	10/14/12	-TWTF--					2	\$575.00		0.00		
	Week:	10/15/12	10/21/12	MTWTF--					2	\$575.00		0.00		
	Week:	10/22/12	10/28/12	MTWTF--					2	\$575.00		0.00		
	Week:	10/29/12	11/04/12	MTWTF--					2	\$575.00		0.00		
	Week:	11/05/12	11/11/12	-----					0	\$0.00		0.00		
N 10	WBRC	10/09/12	11/05/12	MF 10pm News M-F 10pm News	Comm	10-1035pm	MTWTF--	:30	2	\$525.00	P 3	0.00 NM	7	\$3,675.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>					<u>Spots/Week</u>	<u>Rate</u>		<u>Rating</u>		
	Week:	10/08/12	10/14/12	-TWTF--					2	\$525.00		0.00		
	Week:	10/15/12	10/21/12	MTWTF--					2	\$525.00		0.00		
	Week:	10/22/12	10/28/12	MTWTF--					1	\$525.00		0.00		
	Week:	10/29/12	11/04/12	MTWTF--					1	\$525.00		0.00		
	Week:	11/05/12	11/11/12	M-----					1	\$525.00		0.00		
													Totals	163 \$35,115.00

## Rascoe, Tanya

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**From:** David Woods [david@wcoy.com]  
**Sent:** Friday, October 05, 2012 12:36 PM  
**To:** Rascoe, Tanya  
**Subject:** Re: WBRC Twinkle revised schedule

Tanya, thank you for following up. Yes, we would like to place this schedule for \$35,115. It may be easier if we started on Tuesday next week so that you do not have to rush it through today. Traffic managers usually do not like Friday afternoon orders that start on Monday.

Does your station still have the spot from the spring schedule? If so, please run that same spot. It is supposed to be undated.

We will fax you a copy of the check and then mail it out today.

Thank you, David

On Fri, Oct 5, 2012 at 12:24 PM, Rascoe, Tanya <[trascoe@wbrc.com](mailto:trascoe@wbrc.com)> wrote:

Hi David,

Please advise on status of Twinkle order for possibly, Monday-10/8.

Thank you,

Tanya Rascoe

National Sales Assistant

FOX6-WBRC Birmingham

"On Your Side"

205-583-4393-direct line

205-583-8431-fax

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**From:** Duncan, Dave  
**Sent:** Thursday, October 04, 2012 4:56 PM  
**To:** David Woods  
**Cc:** Rascoe, Tanya; Cottrell, Theresa  
**Subject:** WBRC Twinkle revised schedule